

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

SISAVATH PHOTHISENE,

Petitioner,

v.

ALBERTO GONZALES, et al.,

Respondents.

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Case No. CIV-06-1395-M


ORDER

On February 16, 2007, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2241, seeking a writ of habeas corpus. The Magistrate Judge recommended that respondent's motion to dismiss be granted and petitioner's Petition for a Writ of Habeas Corpus be dismissed as moot. The parties were advised of their right to object to the Report and Recommendation by March 8, 2007.¹ A review of the file reveals no objection has been filed.

Upon *de novo* review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on February 16, 2007;
- (2) GRANTS respondent's motion to dismiss [docket no. 9], and
- (3) DISMISSES petitioner's Petition for a Writ of Habeas Corpus as moot.

IT IS SO ORDERED this 30th day of April, 2007.


VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE

¹Petitioner's deadline for objections was extended to April 11, 2007.